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MINUTES

March 22, 2001

**Room 350, State Capitol
Helena, Montana**

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. **Exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of documents.**

COMMITTEE MEMBERS PRESENT

Rep. Kim Gillan, Vice Chairman
Sen. B.F. "Chris" Christiaens
Sen. Steve Doherty
Sen. Mike Taylor
Rep. George Golie
Rep. Dan McGee
Rep. Brad Newman
Rep. Paul Sliter

COMMITTEE MEMBERS EXCUSED

Sen. Tom Beck
Sen. Vicki Cocchiarella
Sen. Mack Cole
Rep. Doug Mood

STAFF PRESENT

Lois Menzies, Executive Director, LSD
Dave Bohyer, Director, Office of Research and Policy Analysis, LSD
Hank Trenk, Director, Office of Legislative Information Technology, LSD
Greg Petesch, Director, Legal Services Office, LSD

COMMITTEE ACTION

- Adopted minutes from January 31, 2001, meetings
- Approved prices for 2001 Montana Code Annotated
- Authorized LSD, upon request of a legislator, to list that legislator's home page address in an appropriate location on the Legislative Branch website without providing an electronic connection to the legislator's home page
- Appointed Sen. McCarthy, Sen. Tash, Rep. Curtiss, and Rep. Gallus to CSG's Legislative Council on River Governance

CALL TO ORDER AND ROLL CALL

Vice chair Gillan called the meeting to order at 5:15 p.m. All members were present except Sen. Beck, Sen. Cocchiarella, Sen. Cole, and Rep. Mood, who were excused.

ADOPTION OF MINUTES

Attachment #1, Minutes from Legislative Council meeting, January 31, 2001.

Sen. Doherty moved that the minutes from the January 31, 2001, meeting be adopted.
(Attachment #1) The motion passed unanimously.

REPORT ON COMPUTER SYSTEM CONTINGENCY PLANNING

Mr. Trenk summarized the events surrounding the computer failure that occurred in mid-February 2001. He said that his office has configured and activated another server to serve as a backup in case of a system failure. Mr. Trenk also noted that his team is developing a long-term disaster recovery plan for the computer system.

APPROVAL OF PRICES FOR MONTANA CODE ANNOTATED

Exhibit #1, Montana Code Annotated (MCA) Sales History

Mr. Petesch reviewed the recent history of Montana Code Annotated sales, noting that sales

have been flat or declining in recent years. (Exhibit #1) Lower sales are due in part to the ability of the public to access the code on the Internet. With sales declining and the cost of paper and wages increasing, he said that prices must increase to cover the cost of production. Mr.

Petesch recommended that 2001 prices be set as follows:

	RECOMMENDED 2001 PRICE
FULL SET	\$325 \$305 for public nonprofit organizations and governments
INDIVIDUAL VOLUMES	\$ 31
INDIVIDUAL TITLES	\$ 15

Sen. Christiaens moved that the Council approve the recommended 2001 prices. The motion passed unanimously.

DIRECTION TO STAFF ON LINKING LEGISLATORS' WEBSITES TO LEGISLATIVE BRANCH HOME PAGE

Exhibit #2, Example of Legislative Branch home page linking to legislators' home pages

Exhibit #3, *Linking Legislative Branch Home Page to Legislator's Web Sites*

Ms. Menzies stated that at the Council's last meeting, members discussed Sen. Taylor's request to provide a link from the Legislative Branch home page to individual legislator's websites. She mentioned that providing this linkage may violate state law prohibiting the use of public facilities for private use. However, she noted that SB 114, currently under consideration by the Legislature, could be amended to allow the Legislative Services Division (LSD), upon approval of the Legislative Council, to provide this electronic connection at a legislator's request. She suggested that if LSD provides this connection, the division should ensure that an electronic message appears before a user is connected to a legislator's website notifying the user that: (1) the user is leaving the Legislative Branch website; and (2) all content and opinions expressed on a legislator's website are those of the legislator and not of the Branch.

Mr. Trenk referred members to Exhibit #2, which is an example of one way that a link from the Legislative Branch home page could be created. He also referenced Exhibit #3, which provides information on states that do and do not provide electronic connections to legislators' websites.

Sen. Taylor stated that linking to legislators' home pages is the next step in improving communications with the public; the Legislative Services Division already publishes home and work phone numbers, physical addresses, and e-mail addresses. Rep. Newman said that he is opposed to using a state-maintained, nonpartisan website to connect to political, partisan sites. Rep. Sliter suggested that an alternative approach may be to have the political parties' websites provide links to legislators' home pages. Rep. Gillan asked if other states had guidelines on what may be included on a legislator's home page. Mr. Trenk responded that Delaware has some guidelines.

Sen. Taylor moved that links to legislators' home pages be provided on the Legislative Branch website. Rep. Sliter made a substitute motion that a link be provided upon written request of a legislator. The motion failed 3-5, with Sen. Doherty, Sen. Christiaens, Rep. Gillan, Rep. Newman, and Rep. Golie voting no.

Rep. Sliter moved that LSD be authorized, upon request of a legislator, to list that legislator's home page address in an appropriate location on the Legislative Branch website without providing an electronic connection to the legislator's home page. The motion passed unanimously.

UPDATE ON INTERIM STUDY REQUESTS AND ORIENTATION SESSION

Exhibit #4, Study Roster, 57th Legislative Session

Exhibit #5, Interim Studies and Activities Seminar (Draft)

Mr. Bohyer reviewed the status of adopted and pending bills and resolutions that contain interim studies. (Exhibit #4) He noted that the roster of studies is a "moving target" and that more studies likely will be proposed before the end of the session. He also provided an assessment of LSD research staff resources for conducting studies during the 2001-02 interim. He reviewed

the assumptions used in calculating available resources and identified statutory interim duties and other considerations affecting staffing.

In response to a question on use of contracted services, Mr. Bohyer said that contracted services may be used to expand resources, subject to budget constraints. However, not all studies lend themselves well to the use of contracted services.

Rep. Sliter asked if each interim committee would be assigned a study; he questioned whether a committee would be busy enough if a study were not assigned. Mr. Bohyer responded that it was unlikely that existing resources could handle one study for each committee given the need for staff to use excess annual leave and compensatory time. He also noted that several other statutory responsibilities have been assigned to interim committees, including Executive Branch oversight and rule review.

Mr. Bohyer stated that an interim study poll will be mailed to legislators immediately following adjournment. He said that he will send members an article on the Borda count or method of tallying votes.

Mr. Bohyer also stated that LSD will be presenting an orientation seminar for interested legislators (primarily first-term legislators) on interim studies and activities. (Exhibit #5) The seminar will cover 10 broad areas and last about two hours. The material will be presented twice on two consecutive days, probably April 10 and 11. Mr. Bohyer invited members to share any suggestions or ideas that they may have on topics to address.

APPOINTMENT OF MEMBERS TO CSG'S LEGISLATIVE COUNCIL ON RIVER GOVERNANCE

Ms. Menzies stated that the Council had decided at its last meeting to appointment members to the Montana delegation to CSG's Legislative Council on River Governance based on recommendations from the Senate President and Minority Leader and from the House Speaker and Minority Leader.

Rep. Sliter moved that Sen. McCarthy, Sen. Tash, Rep. Curtiss, and Rep. Gallus be appointed to the Legislative Council on River Governance based on recommendations from Senate and House leadership. The motion passed unanimously.

REVIEW OF LEGISLATIVE SERVICES DIVISION GOALS

Goals of Legislative Services Division, Exhibit #6

Ms. Menzies noted that the Executive Director's performance appraisal asks the Council to evaluate the Executive Director on her success in meeting LSD's goals and objectives. She stated that the division has identified 28 program goals and 6 additional goals related to the legislative committees and activities program. (Exhibit #6) The vast majority of the goals are derived from statutory requirements assigned to LSD. She asked members to review the goals and offered to respond to any questions or comments.

STATUS OF LEGISLATIVE SERVICES DIVISION AND INTERIM COMMITTEES AND ACTIVITIES PROPOSED BUDGET FOR FY2002-03

Ms. Menzies provided a brief budget update. The General Government and Transportation Subcommittee in HB 2 removed LSD's new proposals and imposed a 4% vacancy savings. The House Appropriations Committee created a personal services contingency fund in HB 13 to cover the vacancy savings imposed on the Legislative Branch in HB 2. In addition, the House Appropriations Committee reduced personal services by 1.0%; the House Committee of the Whole imposed another 1.5% personal services reduction. On the Senate side, the Finance Committee removed the 1.0% and 1.5% personal services reductions. The House Committee of the Whole, however, restored the 1.5% reduction.

INPUT ON SESSION CUSTOMER SURVEYS

Legislators' Questionnaire 2001, Exhibit #7

Committee Staff Evaluation, Exhibit #8

Ms. Menzies stated that LSD will be conducting two end-of-the-session customer surveys: a general survey on LSD services (bill drafting, library services, legislative information services, computer support, etc.) and a committee staff evaluation. (Exhibits #7 and #8) The surveys are similar to those distributed at the end of the 1999 session. Ms. Menzies asked members to review the surveys and provide input on their structure and content.

REQUEST TO REAPPOINT PERSONNEL SUBCOMMITTEE

Ms. Menzies asked members to consider reappointing a personnel subcommittee. She said that she will develop a proposal for topics to be addressed by the subcommittee for presentation at a future meeting.

ADJOURNMENT

The meeting adjourned at 6:15 p.m.